

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
FRED LOCKLARY,

08 CIV. 0079

Plaintiff,

-against-

TOWN OF NEW WINDSOR, MICHAEL C.
BIASOTTI, Chief of Police of the Town of New
Windsor Police Department, POLICE OFFICER
STEPHEN L. BEREAN (Shield #132) and POLICE
OFFICER JOHN A. MARTIN (Shield #124),

Defendants.

RULE 1.9 STATEMENT

Hon. William C. Conner

Pursuant to Rule 1.9 of the General Rules of the Southern District of New York and to enable Judges and Magistrates of the Court to evaluate possible disqualification's or recusal, the undersigned attorney of record for the defendants certifies that the following are corporate parents, subsidiaries or affiliates of the party.

Stephen L. Berean sued herein as the police of the Town of New Windsor Police Department is an individual.

Dated: White Plains, New York
January 25, 2008

Yours, etc.,



Robert C. McMahon (RM1533)
Barry, McTiernan & Moore
Attorneys for Defendants
TOWN OF NEW WINDSOR, MICHAEL C.
BIASOTTI, Chief of Police of the Town of
New Windsor Police Department, POLICE
OFFICER STEPHEN L. BEREAN (Shield
#132) and POLICE OFFICER JOHN A.
MARTIN (Shield #124)
55 Church Street
White Plains, NY 10601
(914) 946-1030

To:

Michael R. Scolnick, P.C.
Attorneys for Plaintiff
FRED LOCKLARY
175 Burrows Lane
Blauvelt, NY 10913
(845) 354-9339

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

LORI JACOBSON, being duly sworn, deposes and says: I am not a party to this action, am over 18 years of age and reside in Yonkers, New York.

That on January 29, 2008, a true copy of the annexed **Rule 1.9 Statement** was served in the following manner:

By mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:

Michael R. Scolnick, P.C.
Attorneys for Plaintiff
FRED LOCKLARY
175 Burrows Lane
Blauvelt, NY 10913
(845) 354-9339

Lori Jacobson

Sworn to before me this
29th day of January, 2008



Robert C. McMahon
Notary Public, State of New York
No. 4723783
Qualified in Westchester County
Commission Expires: February 3, 2011